

1818. *ways*, That when an execution shall be made returnable as last mentioned, a certificate of the final judgment of the Supreme Court shall always be transmitted to the Superior Court aforesaid, and there be recorded: And *Provided further*, That the said Superior Court may enforce obedience to said execution, and in the event of its not being executed may issue any new or further execution or process thereon in the same manner as though the first execution had issued from said Superior Court; And *Provided further*, That in criminal cases the decision of the Supreme Court shall be certified to the Superior Court from which the case was transmitted to the Supreme Court, which said Superior Court shall proceed to Judgment and sentence agreeably to the decision of the Supreme Court, and the laws of the State.

V. And be it further enacted That the Judges of the Supreme Court aforesaid shall have power to appoint a Clerk of the said Court, who shall hold his office during good behaviour, and who before entering on the duties of his office shall enter into bond with sufficient security, payable to the Governor, for the time being, in the sum of ten thousand dollars, conditioned for the faithful discharge of his duties and for the safe keeping of all records committed to his custody, which bond shall be lodged with the Secretary of State, and who shall also before the said Judges, or one of them, take the same oath as is prescribed by law to be taken by the Clerks of the Superior Courts; and the said Clerks shall perform the same duties and be entitled to the same compensation, as the existing law provides in regard to the Clerk of the Supreme Court.

Appoint-
ment of
Clerk.

Compensation.

VI. And be it further enacted, That in all cases of appeals to the Supreme Court it shall be the duty of the appellant to file a transcript of the record of the cause, together with the bond given for the appeal on or before the third day of the term next ensuing said appeal, provided fifteen days shall have elapsed since the appeal, and before the commencement of said Term; and if fifteen days have not elapsed as aforesaid, then on or before the twelfth day of said Term, and the Supreme Court may render judgment against the securities for an appeal in the same manner as a Superior Court may on an appeal from the County Court.

Appeals.

VII. And be it further enacted, That if the appellant shall fail to file the transcript and bond aforesaid as is above described, it shall be lawful for the appellant either to file the same at any time during that or the next succeeding term or to obtain a certificate from the Clerk of the Supreme Court under the seal of the Court of such failure, which certificate of such failure on the part of the appellant, he shall file in the office of the Clerk of the Court from which the appeal was prayed, and it shall be the duty of the said last mentioned Clerk to record the said certificate, and then to issue execution or any other proper process on the judgment rendered in the Superior Court as though no appeal had been prayed taxing double costs against the appellant.

Provision
when the
appellant
fails to file
the appeal
in due time